

FILED 03 JUN 13 12:17 USDC-ORE

UNITED STATES DISTRICT COURT
FOR OREGON
EUGENE DIVISION

HONORABLE ANN AIKEN

LAWRENCE JAMES SACCATO	§	Case No: 6:13-CV-00173-AA
Plaintiff ProSe'	§	
	§	
Vs.	§	DECLARATION OF LAWRENCE
	§	JAMES SACCATO IN
	§	SUPPORT OF PLAINTIFF'S
U.S. BANK NATIONAL ASSOCIATION N.D.,	§	MOTION TO STRIKE THE
Defendant	§	DECLARATION OF RICHARD
	§	MARTINO IN SUPPORT OF
STEPHANIE BUCKLEY,	§	DEFENDANT'S MOTION
Co-Defendant	§	FOR SUMMARY JUDGMENT
	§	
CHRISTOPHER KAYSER,	§	
Co-Defendant	§	
Does 1 through 5	§	

I, LAWRENCE JAMES SACCATO, make the following declaration to the U.S. District Court for the District of Oregon.

1. I am the Plaintiff in the pending action *Lawrence James Saccato v U.S. Bank National Association, ND*, US District Court Case No. 6:13-00173-AA.
2. On or about 5/10/2011, I obtained a copy of my credit report from Equifax a credit reporting agency. The report showed that US Bank had accessed the report on 02/01/2011, see exhibit PE A Pgs. 1-2, a true and correct copy attached. The access was during the litigation of case no. 6:10-cv-06244.
3. On or about 12/9/2010, I obtained a copy of my credit report from Transunion a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 07/2009 thru 11/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.

4. On or about 04/14/2010, I obtained a copy of my credit report from Equifax a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 05/2009 thru 04/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.
5. Upon review of my credit reports and during pending litigation I discovered Defendant U.S. Bank was listed as accessing my credit report on February 1, 2011 without my permission.
6. Upon receiving a copy of the Defendant's motion for summary judgment and the declaration of Richard Martino, Doc #23, I discovered erroneous and inaccurate information in Mr. Martino's declaration.
7. I have not been allowed to depose Mr. Martino and dispute portions of Para. 5 & 7 in his declaration.
8. I believe that portions of Mr. Martino's declaration are erroneous, inaccurate and untruthful. See exhibits PE A Pgs. 1-6 attached herewith.

I Declare Under Penalty Of Perjury That The Foregoing Is True And Correct.

Executed this 31st day of May, 2013.

LAWRENCE SACCATO
Lawrence James Saccato pro se'
C/o 6387 Old Hwy 99 S
Roseburg Oregon 97470
541-784-2284 mess.
Ljsaccato@gmail.com

**CREDIT FILE : May 10, 2011**

Personal Identification Information (This section includes your name, current and previous addresses, and any other identifying information reported by your creditors.)

Name On File: Lawrence James Saccato
 Social Security # [REDACTED] Date of Birth: [REDACTED]
 Current Address: [REDACTED] Reported: 04/2010
 Previous Address(es): [REDACTED] 97470 Reported: 04/2011
 Last Reported Employment: Lawrence J Sacc;
 Previous Employment(s): [REDACTED]

ALERT(s): File Blocked For Promotional Purposes

Confirmation # 1130040240

Please address all future correspondence to:



www.investigate.equifax.com



Equifax Information Services LLC
 PO Box 105285
 Atlanta GA 30348



(800) 270-3435
 M - F 9:00am to 5:00pm in your time zone.

In order to speak with a Customer Service Representative regarding the specific information contained in this credit file, you must call **WITHIN 60 DAYS** of the date of this credit file **AND** have a copy of this credit file along with the confirmation number.

EXHIBIT PE A1

Company Information	Inquiry Date(s)
AR-US Bank Na 55402-4303	601 2nd Ave S Minneapolis, MN
ND-Equifax 30374-0250	12/09/2010
AR-VISA Dsnb 45040-8999	08/04/2010
ND-Lexisnexis::SUBLIMITY INS CO AGE GA 30005-4101	04/13/2010
	1000 Alderman Dr Insurance P&C Agent Alpharetta,

Erkelt PE A2

Exhibit PE A3

Account Review Inquiries

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. These inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

GE MONEY BANK/AMAZON PLC

PO BOX 981432
EL PASO , TX 79998-1432
(866) 634-8379

Requested On: 11/2010

GEMB LENDING INC

2995 RED HILL AVE
COSTA MESA , CA 92626
(800) 404-2647

Requested On: 11/2010

DISCOVER FINCL SVC LLC

2500 LAKE COOK RD
RIVERWOODS , IL 60015-3851
(800) 347-2683

Requested On: 11/2010

NORTHSTAR PRIM CRED CRDS

4285 GENESEE STREE
CHEEKTOWAGA , NY 14225
Phone number not available

Requested On: 11/2010

BANK OF AMERICA CARD SER

655 PAPER MILL ROA
MS/DES-013-02-02
NEWARK , DE 19713
(866) 352-1681

Requested On: 10/2010

PORTFOLIO RECOVERY ASSOC

140 CORPORATE BLVD
NORFOLK , VA 23502
Phone number not available

Requested On: 10/2010

CBUSA/SEARS

701 E 60TH ST NORT
PO BOX 6241
SIOUX FALLS , SD 57117
(800) 917-7700

Requested On: 10/2010

PORTFOLIO RECOVERY ASSOC

120 CORPORATE BLVD
NORFOLK , VA 23502
Phone number not available

Requested On: 09/2010

COLLECT AMERICA

370 17TH ST STE 50
DENVER , CO 80202-5622
(303) 296-3345

Requested On: 09/2010

Permissible Purpose: TO ACQUIRE/SERVICE
/INSURE ACCOUNT

THE BRACHFELD LAW GROUP

800 W SAM HOUSTON
SUITE 200
HOUSTON , TX 77042
Phone number not available

Requested On: 08/2010

Exhibit PE A 4

PORTFOLIO RECOVERY ASSO 140 CORPORATE BLVD NORFOLK , VA 23502 Phone number not available	Requested On: 07/2010	
MIDLAND CREDIT MGMT INC 8875 AERO DR STE 2 SAN DIEGO , CA 92123 (800) 265-8825	Requested On: 07/2010	Permissible Purpose: COLLECTION
EQUABLE ASCENT FINANCIAL ONE NORTHBROOK PLA 5 REVERE DRIVE, ST NORTHBROOK , IL 60062 (847) 418-2081	Requested On: 07/2010	
CAVALRY PORTFOLIO SVCS 500 SUMMIT LAKE DR STE 4A VALHALLA , NY 10595 (800) 501-0909	Requested On: 07/2010	
EQUABLE ASCENT FINANCIAL ONE NORTHBROOK PLA 5 REVERE DRIVE, ST NORTHBROOK , IL 60062 (847) 418-2081	Requested On: 07/2010	
ARS NATIONAL 201 WEST GRAND ESCONDIDO , CA 92025 Phone number not available	Requested On: 05/2010	
AFFINION - PRIVACYGU via CREDCO 100 CONNECTICUT AVE NORWALK , CT 06850 (866) 990-7328	Requested On: 04/2010	Permissible Purpose: CONSUMER INITIATED TRANSACTION
STATE FARM INS-26A 4600 25TH AVE NE SALEM , OR 97313 (503) 463-3000	Requested On: 04/2010	Permissible Purpose: INSURANCE UNDERWRITING
DISCOVER FINANCIAL SERVI 2500 LAKE COOK ROA RIVERWOODS , IL 60015 Phone number not available	Requested On: 02/2010	
STATE FARM INS-26A 4600 25TH AVE NE SALEM , OR 97313 (503) 463-3000	Requested On: 11/2009	Permissible Purpose: INSURANCE UNDERWRITING
GRYPHON 3715 DAVINCI COURT STE 200 NORCROSS , GA 30092 Phone number not available	Requested On: 10/2009	
EQUABLE ASCENT FINANCIAL ONE NORTHBROOK PLA 5 REVERE DRIVE, ST NORTHBROOK , IL 60062 (847) 418-2081	Requested On: 10/2009	
NCO FINANCIAL SYSTEMS 507 PRUDENTIAL ROA HORSHAM , PA 19044 Phone number not available	Requested On: 07/2009	

Special Messages

PROMOTIONAL OPT-OUT: This file has been opted out of promotional lists supplied by TransUnion
(Note: This statement has no expiration date.)

The opt-out on your file will remain in effect until the expiration date specified above, unless you request it to be made permanent. To permanently opt out of promotional lists provided by TransUnion, you must send us a signed 'Notice of Election' form, which can be obtained by writing us or calling us at 800-916-8800 and speaking with a representative.

Company Information	Inquiry Date(s)
First Advantage Credco/ CA 92064-6897	04/13/2010 12395 First American Way Affinon/Prvgrd Poway,
ND-Choicepoint:SUBLIMITY INS CO AGE GA 30005-4101	04/13/2010 1000 Alderman Dr Insurance P&C Agent Alpharetta,
AR-US Bank Na 55402-4303	04/06/2010 601 2nd Ave S Minneapolis, MN
AR-Sears/Cbsd 57117-6282	03/10/2010 PO Box 6282 Sioux Falls, SD
Dish Network CO 80112-5905	02/16/2010 9601 S Meridian Blvd Bldg 1 Floor 3 Cmo Englewood,
AR-Macy's Dsnb 45040-8999	02/04/2010 9111 Duke Blvd Mason, OH
AR-Gemb Lending Inc. IRVINE, CA 92612 Phone: (800) 404-2647	12/31/2009 3355 MICHELSON DR 3355 Michelson Dr 2nd Fl
AR-Gemb/Amazon Plcc 79998-1432 Phone: (866) 634-8379	12/31/2009 PO Box 981432 El Paso, TX
AR-Citi SD- The Home Depot 37615-6210	12/25/2009 541 Sid Martin Rd Citibank Gray, TN
AR-Gemb/RV 57709-6153 Phone: (866) 220-9432	11/26/2009 09/10/2009 PO Box 6153 Rapid City, SD
AR-Gemb/Lowes 79998-1400 Phone: (800) 444-1408	11/13/2009 PO Box 981400 C811 El Paso, TX
AR-Capone Bank 94588	08/02/2009 PO BOX 9180 PLEASANTON, CA
AR-Citi Cards Cbsdna 57104-0432	07/12/2009 701 E 60th St N Sioux Falls, SD
AR-Advanta Bancorp 08043-3505	06/10/2009 1020 Laurel Oak Rd Voorhees, NJ
AR-Capital One 260-6030	05/28/2009 PO Box 26030 Richmond, VA

On Next Page)

Exhibit PE A 5

Company Information	Inquiry Date(s)
AR-FIA Csna 655 Papermill Rd MS1332 Wilmington, DE 19884-1510	05/07/2009

Exhibit DE Page 14

CERTIFICATE OF SERVICE

I hereby certify that a copies of the forgoing Plaintiff's Motion to Strike Declaration of Richard Martino, and Supporting Declaration of Lawrence James Saccato for Case # 6:13-cv-00173-AA, was sent by First Class Mail with postage prepaid through the United States Post Office to:

Clerk of the Court
Wayne L. Morse
United States Courthouse
405 East Eighth Avenue
Eugene, Oregon 97401

David A. Jacobs
LUVAAS COBB
777 High Street Ste 300
Eugene, Oregon 97401

William L. Larkins, Jr.
Larkins Vacura LLP
621 SW Morrison St. Suite 1450
Portland, Oregon 97205

They were deposited in the United States Post Office in Roseburg, Oregon on May 31, 2013.

Lawrence Saccato
Lawrence James Saccato, Plaintiff
c/o 6387 Old Highway 99 S
Roseburg, Oregon 97471
541-784-2284 mess.
ljsaccato@gmail.com